

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MISSOURI  
EASTERN DIVISION

|                            |   |                       |
|----------------------------|---|-----------------------|
| DARRYL GRAY,               | ) |                       |
|                            | ) |                       |
| Plaintiff,                 | ) | Case No. 4:18-CV-1678 |
|                            | ) |                       |
| v.                         | ) | JURY TRIAL DEMANDED   |
|                            | ) |                       |
| CITY OF ST. LOUIS, et al., | ) |                       |
|                            | ) |                       |
| Defendants.                | ) |                       |

**Defendant City of St. Louis' Motion for Summary Judgment**

Defendant City of St. Louis files this motion for summary judgment. The uncontroverted material facts demonstrate that judgment as a matter of law should be granted in favor of the City. Any claim for liability on a *Monell* theory should be dismissed because there was no underlying constitutional violation. There is also no evidence of a custom or practice, that is so ingrained as to have the force and effect of law that was the moving force behind any potential constitutional violation. The evidence is clear that there is no failure to train or discipline. Finally, the City is entitled to sovereign immunity on all state law claims.

WHEREFORE, the City of St. Louis respectfully requests that judgment as a matter of law be granted in its favor and that it be dismissed from this case.

Respectfully submitted,

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